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Question of the Falkland Islands (Malvinas)

Letter dated 28 March 2007 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

I have the honour to transmit to the Secretary-General a note which the Minister for Foreign Affairs and Worship, Jorge E. Taiana, has addressed to the Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland, Margaret Beckett, on 27 March 2007, regarding the Joint Declaration on Cooperation over Offshore Activities in the South West Atlantic, which the Argentine Government approved, under the formula on sovereignty, with the British Government on 27 September 1995 (see annex).

I should be grateful if this note could be circulated as an official document of the General Assembly.

(*Signed*) César **Mayoral**
Ambassador
Permanent Representative

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Annex to the letter dated 28 March 2007 addressed to the Secretary-General by the Permanent Representative of Argentina to the United Nations

I am writing with regard to the Joint Declaration on Cooperation over Offshore Activities in the South West Atlantic, which the Argentine Government approved, under the formula on sovereignty, with the British Government on 27 September 1995. It was the intention of the Argentine Government to transmit to the British Government the conclusions reached in relation to this instrument at the diplomatic meeting proposed by Argentina in February 2006 to address the status of all understandings agreed between our two countries with regard to sovereignty. Regrettably, however, that was not possible because of your Government's refusal to hold that meeting.

As you are aware, during the eighth meeting of the Southwest Atlantic Hydrocarbon Commission, held on 27 July 2000, the two parties acknowledged that there were differing interpretations of the area to which this understanding applies. The Argentine Republic considers that the area of cooperation, in accordance with the text of the Joint Declaration and its object and purpose, is the entire maritime area surrounding the Malvinas Islands disputed between Argentina and the United Kingdom. The United Kingdom does not share that interpretation. In acknowledging the diverging views, both Governments agreed that it would be appropriate to take some time to reflect on the issue and on the best way in which future cooperation could be conducted, as expressed in the Joint Press Communiqué issued by the Parties after the aforementioned meeting.

Furthermore, before and during this period of reflection, the United Kingdom has continued to carry out unilateral actions that run counter to the Declaration of 1995, which expressly provided for joint actions by both Governments in the disputed area covered by that instrument. Such unilateral actions, which were protested by the Argentine Republic in a timely and appropriate manner, are also incompatible with General Assembly resolution 31/49, which calls upon the two parties to refrain from taking decisions that would imply introducing unilateral modifications in the situation while the islands are going through the process recommended in the General Assembly resolutions. The attitude of the United Kingdom has also failed to contribute to the establishment of a favourable climate for the resumption of negotiations on sovereignty, which the United Nations has repeatedly urged. Nor has it been possible, as a result, to fulfil the requirement imposed by General Assembly resolution 2065 (XX) and other relevant resolutions to work towards a definitive solution to the dispute on sovereignty that exists between our two countries over the Malvinas, South Georgia and South Sandwich Islands and their surrounding maritime areas.

The Argentine Government considers that the repeated and ongoing unilateral acts by Britain demonstrate the persistence of discrepancies in the interpretation to which I have just referred; therefore there is no sense in continuing the period of reflection, which leads to the conclusion that is not possible to apply the Joint Declaration of 27 September 1995. Therefore, the Argentine Republic considers that provisional agreement to be terminated from the date of the present note.

(*Signed*) Jorge E. **Taiana**
Minister for Foreign Affairs, International Trade and Worship